

***Remarks***

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1, 2, 4-14, 16-18, 20-36 and 38-56 are pending in the application, with claims 1, 5, 6, 9, 11, 20, 24, 26, 29, 31, and 40 being the independent claims. Claims 1, 4-6, 8-10, 13, 20, 21, 24-36, 38-40, 45-49, 53, and 54 are sought to be amended. Claim 15 is sought to be canceled without prejudice to or disclaimer of the subject matter recited therein. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

**Rejection Under 35 U.S.C. § 112**

The Examiner, at page 3 of the Office Action, rejected claim 15 under the second paragraph of 35 U.S.C. § 112 for allegedly failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicants have canceled claim 15 without prejudice to or disclaimer of the subject matter recited therein, thereby rendering this rejection moot.

**Rejection Under 35 U.S.C. § 102**

The Examiner, at page 4 of the Office Action, rejected claims 1, 2, 4-8, 20-28, 53, and 54 under 35 U.S.C. § 102(a) as being allegedly anticipated by U.S. Patent No. 6,223,285 to Komuro *et al.* ("Komuro"). Applicants respectfully traverse these rejections.

***Claims 1, 2, 4, 7, 8, 20-25, 27, 28, 53, and 54***

Amended independent claim 1 recites (emphasis added):

A computer implemented method for securing a file, the method comprising:  
determining whether the file stored in a file system and being accessed is secured;  
if the file is determined to be secured, activating a cipher module and loading the file from the file system through the cipher module into an application; and  
if the file is determined to be non-secured, loading the file from the file system into the application without activating the cipher module, ***wherein the file includes a header having a file key, the file key is encrypted with a user key, and the user key is different from the file key.***

Each of amended independent claims 20 and 24 recites similar features.

Komuro does not disclose, teach, or suggest at least the feature of: "wherein the file includes a header having a file key, the file key is encrypted with a user key, and the user key is different from the file key." To the contrary, Komuro teaches a method that explicitly does not encrypt a header. For example, Komuro, at column 7, lines 5-9, recites:

It is appreciated that while the present invention encrypts the data portion 220 of packet 200 (if in EMI mode A or EMI mode B), the header sections 230 and 240 remain unencrypted when transmitted over the IEEE 1394 interface 125 (FIG. 3).

Accordingly, each of claims 1, 20, and 24 is not anticipated by Komuro. Because each of claims 2, 4, 7, 8, 21-23, 25, 27, 28, 53, and 54 depends from claims 1, 20, or 24 and because of the individual distinctive features of each of claims 2, 4, 7, 8, 21-23, 25, 27, 28, 53, and 54, each of these claims is also not anticipated by Komuro.

***Claims 5, 6, and 26***

Amended independent claim 5 recites (emphasis added):

A computer implemented method for securing a file, the method comprising:  
determining if the file stored in a file system and being accessed includes a header, ***wherein existence of the header indicates that the file is secured;***

if the file is determined to be secured, activating a cipher module and loading the file from the file system through the cipher module into an application; and

if the file is determined to be non-secured, loading the file from the file system into the application without activating the cipher module.

Amended independent claim 26 recites similar features.

Amended independent claim 6 recites (emphasis added):

A computer implemented method for securing a file, the method comprising:  
determining if the file stored in a file system and being accessed has a flag, *wherein existence of the flag indicates that the file is secured*;

if the file is determined to be secured, activating a cipher module and loading the file from the file system through the cipher module into an application; and

if the file is determined to be non-secured, loading the file from the file system into the application without activating the cipher module.

Support for the features recited in claims 5, 6, and 26 can be found, by way of example and without limitation, at paragraph [0097] of the specification of the present patent application.

Komuro does not disclose, teach, or suggest at least the features of (emphasis added):

"determining if the file stored in a file system and being accessed includes a header, *wherein existence of the header indicates that the file is secured*" or "determining if the file stored in a file system and being accessed has a flag, *wherein existence of the flag indicates that the file is secured*[" To the contrary, Komuro teaches a method in which the file always includes a header/flag, whether or not the file is secured. For example, Komuro, at column 6, lines 61-65, recites:

Information packet 200 also contains a CIP header section 240. In accordance with the present invention, the CIP header section 240 contains an EMI field 210 that in one implementation is two bits wide and contains the EMI mode value as defined in Table I.

Table I is at column 6, lines 27-33 of Komuro and recites (emphasis added):

TABLE I		
EMI Mode	Two Bit Number	Description
Mode A	11	Copy Prohibition
Mode B	10	Copy Once
Mode O	00	<b>No encryption</b> - Unrestricted
Reserved	01	

Accordingly, each of claims 5, 6, and 26 is not anticipated by Komuro.

Therefore, Applicants respectfully request that the Examiner reconsider claims 1, 2, 4-8, 20-28, 53, and 54, withdraw the rejections of these claims under 35 U.S.C. § 102(a), and pass these claims to allowance.

**Allowable Subject Matter**

The Examiner, at page 6 of the Office Action, indicated that "[c]laims 11-14, 16-18, 31-36, 38-50, 52, 55, and 56 are allowed."

The Examiner, at page 6 of the Office Action, also objected to claims 9, 10, 29, and 30 "as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims." Applicants have amended claim 9 to recite most of the features of independent claim 1 and intervening claims 4, 7, and 8. Claim 10 remains dependent upon claim 9. Likewise, Applicants have amended claim 29 to recite most of the features of independent claim 24 and intervening claims 25, 27, and 28. Claim 30 remains dependent upon claim 29. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the objections to claims 9, 10, 29, and 30 and pass these claims to allowance.

**Claim 51**

The Office Action does not indicate whether the Examiner has rejected or objected to claim 51. Because claim 51 depends from claim 1 and because of the individual distinctive

features of claim 51, this claim is neither anticipated by nor unpatentable over Komuro. Accordingly, Applicants respectfully request that the Examiner pass claim 51 to allowance.

### ***Conclusion***

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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